

Entered 02-04-02 - sb
CL 02L0095 - GWENDOLYN BURNS

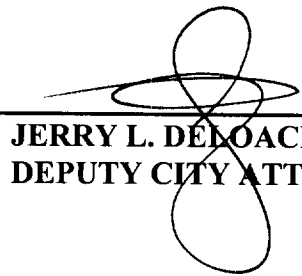
03-*R*-0801

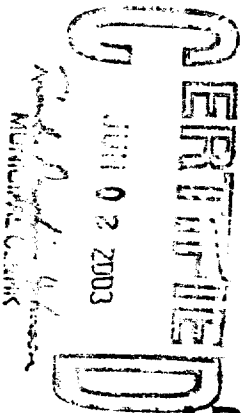
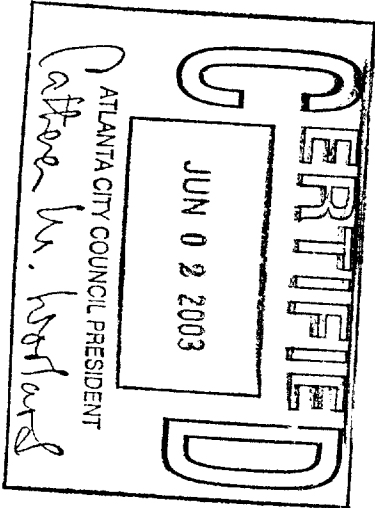
ADVERSED
JUN 0 2 2003

CLAIM OF: AJA STEWART
914 Collier Road, Apt. 2221
Atlanta, Georgia 30318

For vehicular damages alleged to have been
sustained after driving over a pot hole in the road on
January 10, 2000 at 2300 Peachtree Road, NE.

THIS ADVERSED REPORT IS
APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE P.S.

CHAIR 5/27/03

C. T. Martin

H. L. Hill



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

June 9, 2003

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Aja Stewart
914 Collier Road
Apartment 2221
Atlanta, GA 30318

03-R-0801

Dear Mr. Stewart:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on June 2, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0095

Date: May 13, 2003

Claimant /Victim AJA STEWART
BY: (Atty) (Ins. Co.) _____
Address: 914 Collier Road, Apartment 2221, Atlanta, Georgia 30318
Subrogation: Claim for Property damage \$ 1,437.52 Bodily Injury \$ _____
Date of Notice: 1/25/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/10/02 Place: 2300 Peachtree Road, NE
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove over a pot hole in the road. An investigation determined that United Water Services Atlanta, Inc. was responsible for the defect. The claim has been forwarded to and subsequently resolved by United Water Services Atlanta, Inc.

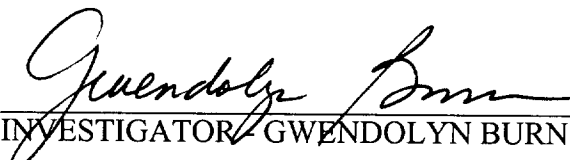
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

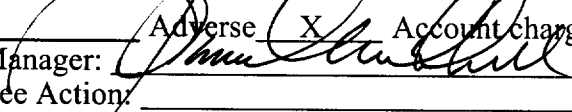
Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 05-14-03
Committee Action: _____ Council Action _____

RCS# 4761
6/02/03
2:42 PM

Atlanta City Council

Regular Session

CONSENT I Pgs.1-11 Except:03-O-0767; 03-O-0706

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	E Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

ITEMS ADOPTED ON CONSENT AGENDA	06/02/03 Council Meeting ITEMS ADVERSE ON CONSENT AGENDA
1. 03-O-0705	32. 02-R-1076
2. 03-O-0837	33. 02-R-1077
3. 03-O-0717	34. 02-R-1078
4. 03-O-0104	35. 02-R-1079
5. 03-O-0663	36. 02-R-1080
6. 03-O-0711	37. 02-R-1081
7. 03-O-0835	38. 02-R-1082
8. 03-O-0836	39. 02-R-1083
9. 03-O-0840	40. 02-R-1084
10. 03-O-0721	41. 02-R-1085
11. 03-O-0786	42. 02-R-1086
12. 03-O-0587	43. 02-R-1087
13. 03-O-0781	44. 02-R-1088
14. 02-R-1351	45. 02-R-1089
15. 03-R-0822	46. 02-R-1090
16. 03-R-0823	47. 02-R-1091
17. 03-R-0825	48. 02-R-1092
18. 03-R-0828	49. 02-R-1093
19. 03-R-0829	50. 02-R-1094
20. 03-R-0832	51. 02-R-1095
21. 03-R-0833	52. 02-R-1096
22. 03-R-0820	53. 02-R-1097
23. 03-R-0821	54. 02-R-1098
24. 03-R-0845	55. 02-R-1099
25. 03-R-0846	
26. 03-R-0789	
27. 03-R-0790	
28. 03-R-0791	
29. 03-R-0792	
30. 03-R-0793	
31. 03-R-0794	

Consent I Vote: 13Yeas; 0Nays: (See RCS #4761)
Items Removed from the Consent Agenda: 03-O-0767; 03-O-0706